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| APPLICATION NO. | ICATION NO. FILING DATE | | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|--|-------------------------|------------|------------------------|-------------------------|------------------|
| 10/719,399 | 10/719,399 11/21/2003 | | Christopher T. Maxwell | TI-36943 | 2566 |
| 23494 | 7590 | 07/14/2005 | | EXAMINER | |
| | STRUMENTS | | LAM, TUAN THIEU | | |
| P O BOX 655474, M/S 3999 DALLAS, TX 75265 | | | | ART UNIT | PAPER NUMBER |
| 2.122.13, 112 10230 | | | | 2816 | |
| | | | | DATE MAILED: 07/14/2005 | |

Please find below and/or attached an Office communication concerning this application or proceeding.

Advisory Action Before the Filing of an Appeal Brief

| Application No. | Applicant(s) | | |
|-----------------|-------------------------|--|--|
| 10/719,399 | MAXWELL, CHRISTOPHER T. | | |
| Examiner | Art Unit | | |
| Tuan T. Lam | 2816 | | |

| | Tuan T. Lam | 2816 | |
|---|--|--|--------------------------------------|
| The MAILING DATE of this communication appe | ars on the cover sheet with the o | correspondence add | ress |
| THE REPLY FILED <u>24 June 2005</u> FAILS TO PLACE THIS APP | PLICATION IN CONDITION FOR A | LLOWANCE. | |
| 1. The reply was filed after a final rejection, but prior to or or this application, applicant must timely file one of the follow places the application in condition for allowance; (2) a Not a Request for Continued Examination (RCE) in compliant time periods: | the same day as filing a Notice of wing replies: (1) an amendment, aff stice of Appeal (with appeal fee) in a | Appeal. To avoid aba fidavit, or other evider compliance with 37 C | nce, which FR 41.31: or (3) |
| a) The period for reply expires 6 months from the mailing date | e of the final rejection. | | |
| b) The period for reply expires on: (1) the mailing date of this A no event, however, will the statutory period for reply expire I Examiner Note: If box 1 is checked, check either box (a) or TWO MONTHS OF THE FINAL REJECTION. See MPEP 7 | Advisory Action, or (2) the date set forth ater than SIX MONTHS from the mailin (b). ONLY CHECK BOX (b) WHEN THE 06.07(f). | g date of the final rejecti E FIRST REPLY WAS F | on. ILED WITHIN |
| Extensions of time may be obtained under 37 CFR 1.136(a). The date have been filed is the date for purposes of determining the period of exunder 37 CFR 1.17(a) is calculated from: (1) the expiration date of the set forth in (b) above, if checked. Any reply received by the Office late may reduce any earned patent term adjustment. See 37 CFR 1.704(b) NOTICE OF APPEAL | tension and the corresponding amount shortened statutory period for reply orig r than three months after the mailing da | of the fee. The appropri | ate extension fee |
| The Notice of Appeal was filed on A brief in comp filing the Notice of Appeal (37 CFR 41.37(a)), or any exte a Notice of Appeal has been filed, any reply must be filed AMENDMENTS | nsion thereof (37 CFR 41.37(e)), to | avoid dismissal of th | ns of the date of e appeal. Since |
| | to the deal of the state of the | | |
| The proposed amendment(s) filed after a final rejection, They raise new issues that would require further co They raise the issue of new matter (see NOTE below) | nsideration and/or search (see NO w); | TE below); | |
| (c) ☐ They are not deemed to place the application in be appeal; and/or | tter form for appeal by materially re | ducing or simplifying | the issues for |
| (d) They present additional claims without canceling a | corresponding number of finally rei | ected claims | |
| NOTE: <u>See Continuation Sheet</u> . (See 37 CFR 1.1 | | colod claims. | |
| 4. The amendments are not in compliance with 37 CFR 1.1 | | mpliant Amendment | (PTOL-324) |
| 5. Applicant's reply has overcome the following rejection(s) | | | (* |
| Newly proposed or amended claim(s) would be all non-allowable claim(s). | lowable if submitted in a separate, | | |
| 7. ☐ For purposes of appeal, the proposed amendment(s): a) how the new or amended claims would be rejected is pro The status of the claim(s) is (or will be) as follows: | ☐ will not be entered, or b) ☐ will will will be will | ll be entered and an e | explanation of |
| Claim(s) allowed: <u>11-13,15 and 16</u> . | • | | • |
| Claim(s) dijected to: 2, 10. | | | |
| Claim(s) rèjected: <u>1 and 3-9</u> . Claim(s) withdrawn from consideration: | | • | |
| AFFIDAVIT OR OTHER EVIDENCE | | | |
| 3. The affidavit or other evidence filed after a final action, but because applicant failed to provide a showing of good answas not earlier presented. See 37 CFR 1.116(e). | t before or on the date of filing a No d sufficient reasons why the affidav | otice of Appeal will <u>no</u> vit or other evidence is | t be entered necessary and |
| 9. The affidavit or other evidence filed after the date of filing entered because the affidavit or other evidence failed to of showing a good and sufficient reasons why it is necessary | vercome all rejections under appea | al and/or appellant fai | ls to provide a |
| 10. ☐ The affidavit or other evidence is entered. An explanatio REQUEST FOR RECONSIDERATION/OTHER | | | |
| 11. The request for reconsideration has been considered bu | t does NOT place the application ir | n condition for allowar | nce because: |
| 12. Note the attached Information Disclosure Statement(s). | (PTO/SB/08 or PTO-1449) Paper N | lo(s) | |
| 13. | | udla | , |
| | V | Tuan T. Lam Primary Examiner | |

Continuation of 3. NOTE: the newly proposed limitations "a cotnrol electrode of the UOP and LOP are driven towards opposite votlage supplies so that" in claims 1 and 7 would require further search and consideration.